

**REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF LANSING, MICHIGAN
CITY COUNCIL CHAMBERS, 10TH FLOOR
LANSING CITY HALL
124 W. MICHIGAN AVENUE**



REVISED (II) AGENDA FOR FEBRUARY 29, 2016

TO THE HON. MAYOR AND MEMBERS OF THE CITY COUNCIL:

The following items were listed on the agenda in the City Clerk's Office in accordance with Section 3-103(2) of the City Charter and will be ready for your consideration at the regular meeting of the City Council on Monday, February 29, 2016 at 7:00 p.m. at the Council Chambers, 10th Floor, City Hall.

I. ROLL CALL

II. MEDITATION AND PLEDGE OF ALLEGIANCE

III. READING AND APPROVAL OF PRINTED COUNCIL PROCEEDINGS

Approval of the Printed Council Proceedings of February 8 and 22, 2016

IV. CONSIDERATION OF LATE ITEMS (Suspension of Council Rule #9 is needed to allow consideration of late items. Late items will be considered as part of the regular portion of the meeting to which they relate.)

V. TABLED ITEMS

VI. SPECIAL CEREMONIES

VII. COMMENTS BY COUNCIL MEMBERS AND CITY CLERK

VIII. COMMUNITY EVENT ANNOUNCEMENTS (Time, place, purpose, or definition of event – 1 minute limit)

IX. SPEAKER REGISTRATION FOR PUBLIC COMMENT ON LEGISLATIVE MATTERS

X. MAYOR'S COMMENTS

XI. SHOW CAUSE HEARINGS

XII. PUBLIC COMMENT ON LEGISLATIVE MATTERS (Legislative matters consist of the following items on the agenda: public hearings, resolutions, ordinances for introduction, and ordinances for passage. The public may comment for up to three minutes. Speakers must sign up on white form.)

A. SCHEDULED PUBLIC HEARINGS

1. In consideration of a Noise Waiver; Michigan Department of Transportation requests night time and weekend work for bridges on and over I-96 between Cedar Street and Aurelius Road

2. In consideration of a Noise Waiver; Michigan Department of Transportation requests night time and weekend work for construction of a sound wall on the east side of US-127, north of Grand River Avenue
3. In consideration of an Ordinance to provide for Payment in Lieu of Taxes (PILOT); Saboury Building Apartments, 1113 N. Washington

XIII. COUNCIL CONSIDERATION OF LEGISLATIVE MATTERS

A. REFERRAL OF PUBLIC HEARINGS

B. CONSENT AGENDA

1. BY THE COMMITTEE ON GENERAL SERVICES
 - a. Microbrewer License for Ozone's Brewhouse, 305 Beaver St.
2. BY THE COMMITTEE OF THE WHOLE
 - a. Confirmation of Appointment of F. Joseph Abood as Interim City Attorney

C. RESOLUTIONS FOR ACTION

D. REPORTS FROM COUNCIL COMMITTEES

E. ORDINANCES FOR INTRODUCTION and Setting of Public Hearings

F. ORDINANCES FOR PASSAGE

XIV. SPEAKER REGISTRATION FOR PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

XV. REPORTS OF CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS (Motion that all items be considered as being read in full and that the proper referrals be made by the President)

A. REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS

1. Letter(s) from the City Clerk re:
 - a. Minutes of Boards, Commissions, and Authorities placed on file in the Clerk's Office
 - b. Board, Authority, and Commission Term Expirations
 - c. Request for Recognition of Non-Profit Status in the City of Lansing for Lemata, Incorporated
 - d. Memorial Review Board Rules of Administrative Procedure

2. Letter(s) from the Mayor re:
 - a. Sole Source Purchase, Public Service Department request for a Quadguard Attenuator from the vendor, Carrier and Gable
 - b. Sole Source Purchase, Public Service Department request for Engineering Services from the vendor, Tetra Tech
 - c. Lansing Brownfield Plan #65, Potter Flats Redevelopment Project, filed by South Street LLC for property located at 701 E. South Street

B. COMMUNICATIONS AND PETITIONS, AND OTHER CITY RELATED MATTERS

1. Communication from the Lansing Regional Chamber of Commerce on Medical Marihuana

XVI. MOTION OF EXCUSED ABSENCE

XVII. REMARKS BY COUNCIL MEMBERS

XVIII. REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

XIX. PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS (City government related matters are issues or topics relevant to the operation or governance of the city. The public may comment for up to three minutes. Speakers must sign up on yellow form.)

XX. ADJOURNMENT



CHRIS SWOPE, CITY CLERK

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TDD (517) 483-4479). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

**CITY OF LANSING
NOTICE OF PUBLIC HEARING
WAIVER OF THE NOISE ORDINANCE**

BRIDGES ON AND OVER I-96 BETWEEN CEDAR STREET AND AURELIUS ROAD

The Lansing City Council will hold a public hearing on Monday, February 29, 2016 at 7 p.m. in the City Council Chambers, Tenth Floor, Lansing City Hall, 124 W. Michigan Ave., Lansing, Michigan for the purpose stated below:

To afford an opportunity for all residents of the City of Lansing to appear and be heard with regard to a request for a waiver of the Noise Ordinance in accordance with the provisions of Chapter 654 of the Code of Ordinances, filed by the Michigan Department of Transportation request to permit for bridge construction work on bridges on and over I-96 between Cedar Street and Aurelius Road weekdays from 7:00 p.m. to 6:00 a.m. and weekends from Friday at 7:00 p.m. to Monday and 6:00 a.m. to minimize inconvenience to the public and expedite the project.

For more information please call 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., Monday, February 29, 2016, at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, Lansing City Clerk
www.lansingmi.gov/Clerk

www.facebook.com/LansingClerkSwope

**CITY OF LANSING
NOTICE OF PUBLIC HEARING
WAIVER OF THE NOISE ORDINANCE**

**SOUND WALL CONSTRUCTION ON THE EAST SIDE OF US-127 NORTH OF
GRAND RIVER AVENUE**

The Lansing City Council will hold a public hearing on Monday, February 29, 2016 at 7 p.m. in the City Council Chambers, Tenth Floor, Lansing City Hall, 124 W. Michigan Ave., Lansing, Michigan for the purpose stated below:

To afford an opportunity for all residents of the City of Lansing to appear and be heard with regard to a request for a waiver of the Noise Ordinance in accordance with the provisions of Chapter 654 of the Code of Ordinances, filed by the Michigan Department of Transportation request to permit for the construction of a sound wall on the east side of US-127 north of Grand River Avenue weekdays from 6 a.m. to 7 a.m. and 8 p.m. to 10 p.m., and weekends from 7 a.m. to 8 p.m. to minimize inconvenience to the public and expedite the project.

For more information please call 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., Monday, February 29, 2016, at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, Lansing City Clerk
www.lansingmi.gov/Clerk

www.facebook.com/LansingClerkSwope

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, February 29, 2016 at 7:00 p.m. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering:

An ordinance of the City of Lansing, Michigan, to amend the Code of Ordinances of the City of Lansing by amending Chapter 888 and adding a new Section by adding Section 888.33 for the purpose of providing for a service charge in lieu of ad valorem property taxes for no more than twenty-four (24) qualified low or moderate income multi-family dwelling units in a project known as the Saboury Building Apartments, pursuant to the provisions of the State Housing Development Authority Act of 1966, as amended.

For more information, please call 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., February 29, 2016, at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, Lansing City Clerk

www.lansingmi.gov/Clerk

www.facebook.com/LansingClerkSwope

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 888 BY ADDING A NEW SECTION 888.33 FOR THE PURPOSES OF PROVIDING FOR A SERVICE CHARGE IN LIEU OF AD VALORUM PROPERTY TAXES FOR NO MORE THAN TWENTY-FOUR (24) QUALIFIED LOW OR MODERATE INCOME MULTI-FAMILY DWELLING UNITS IN A PROJECT KNOWN AS THE SABOURY BUILDING APARTMENTS, PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, AS AMENDED.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 888 of the Code of Ordinances of the City of Lansing, Michigan be amended to add a new section 888.33 to read as follows:

888.33 SABOURY BUILDING APARTMENTS

(A) PURPOSE. IT IS ACKNOWLEDGED THAT IT IS A PROPER PUBLIC PURPOSE OF THE STATE OF MICHIGAN AND ITS POLITICAL SUBDIVISIONS, INCLUDING THE CITY OF LANSING, TO PROVIDE HOUSING FOR CITIZENS OF LOW INCOME AND TO ENCOURAGE THE DEVELOPMENT OF SUCH HOUSING BY PROVIDING FOR A SERVICE CHARGE IN LIEU OF PROPERTY TAXES IN ACCORDANCE WITH THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966 (ACT NO. 346 OF THE PUBLIC ACTS OF MICHIGAN OF 1966, AS AMENDED). THE CITY IS AUTHORIZED BY THIS ACT TO ESTABLISH OR CHANGE THE SERVICE CHARGE TO BE PAID IN LIEU OF TAXES BY ANY OR ALL CLASSES OF HOUSING EXEMPT FROM TAXATION

DRAFT

DRAFT #1
JANUARY 21, 2016

1 UNDER THIS ACT AT ANY AMOUNT IT CHOOSES NOT TO EXCEED THE TAXES
2 THAT WOULD BE PAID BUT FOR THIS ACT. IT IS FURTHER ACKNOWLEDGED THAT
3 HOUSING FOR PERSONS OF LOW INCOME IS A PUBLIC NECESSITY, AND AS THE
4 CITY WILL BE BENEFITTED AND IMPROVED BY SUCH HOUSING, THE
5 ENCOURAGEMENT OF THE SAME BY PROVIDING CERTAIN REAL ESTATE TAX
6 EXEMPTION FOR SUCH HOUSING IS A VALID PUBLIC PURPOSE; FURTHER, THAT
7 THE CONTINUATION OF THE PROVISIONS OF THIS ORDINANCE SECTION FOR TAX
8 EXEMPTION AND THE SERVICE CHARGE IN LIEU OF ALL AD VALORUM
9 PROPERTY TAXES DURING THE PERIOD CONTEMPLATED IN THIS SECTION ARE
10 ESSENTIAL TO THE DETERMINATION OF ECONOMIC FEASIBILITY OF THE
11 HOUSING DEVELOPMENT PROJECT WHICH IS TO BE DEVELOPED AND FINANCED
12 IN RELIANCE ON SUCH TAX EXEMPTION AND SERVICE CHARGE.

13 THE CITY ACKNOWLEDGES THAT THE SPONSOR, AS DEFINED IN THIS SECTION
14 OF THE ORDINANCE, IS A LIMITED DIVIDEND HOUSING ASSOCIATION LIMITED
15 PARTNERSHIP AND HAS OFFERED, SUBJECT TO RECEIPT OF AN ALLOCATION
16 UNDER THE LOW INCOME HOUSING TAX CREDIT (LIHTC) PROGRAM AND/OR A
17 MORTGAGE LOAN, TO CONSTRUCT, OWN, AND OPERATE RENTAL PROPERTIES
18 IDENTIFIED AS THE HOUSING DEVELOPMENT PROJECT LOCATED IN THE CITY TO
19 SERVE PERSONS OF LOW INCOME, AND THAT THE SPONSOR HAS OFFERED TO
20 PAY THE CITY ON ACCOUNT OF THIS HOUSING DEVELOPMENT AN ANNUAL
21 SERVICE CHARGE FOR PUBLIC SERVICE IN LIEU OF ALL AD VALOREM PROPERTY
22 TAXES.

23 (B) DEFINITIONS.

DRAFT

DRAFT

(1) "ACT" MEANS THE STATE HOUSING DEVELOPMENT AUTHORITY ACT, BEING
MICHIGAN PUBLIC ACT 346 OF 1966, AS AMENDED; MCL 125.1401 ET SEQ.

(2) "ANNUAL SHELTER RENT" MEANS THE TOTAL COLLECTIONS DURING AN
AGREED ANNUAL PERIOD FROM ALL OCCUPANTS OF A HOUSING DEVELOPMENT
REPRESENTING RENT OR OCCUPANCY CHARGES, EXCLUSIVE OF CHARGES FOR
GAS, ELECTRICITY, HEAT, OR OTHER UTILITIES FURNISHED TO THE OCCUPANTS.

(3) "AUTHORITY" MEANS THE MICHIGAN STATE HOUSING DEVELOPMENT
AUTHORITY; MCL 125.1401 ET SEQ.

(4) "CITY" MEANS THE CITY OF LANSING, A MICHIGAN MUNICIPAL
CORPORATION.

(5) "COMMENCEMENT OF CONSTRUCTION" MEANS THE COMMENCEMENT OF THE
REHABILITATION OF THE BUILDING LCOATED AT 1113 N. WASHINGTON,
LANSING, PARCEL NUMBER 33-01-01-09-331-152 , (LOT 3 & LOT 4 & E 145 FT OF N 1/2
LOT 5 BLOCK 34 ORIG PLAT) TO INCLUDE NO MORE THAN TWENTY-FOUR (24)
QUALIFIED LOW TO MODERATE INCOME ASSISTED RESIDENTIAL APARTMENT
UNITS.

(6) "HOUSING DEVELOPMENT" MEANS A DEVELOPMENT WHICH CONTAINS A
SIGNIFICANT ELEMENT OF HOUSING FOR PERSONS OF LOW INCOME AND SUCH
ELEMENTS OF OTHER HOUSING, COMMERCIAL, RECREATIONAL, INDUSTRIAL,
COMMUNAL, AND EDUCATIONAL FACILITIES AS THE AUTHORITY DETERMINES

DRAFT

1 IMPROVE THE QUALITY OF THE DEVELOPMENT AS IT RELATES TO HOUSING FOR
2 PERSONS OF LOW INCOME.

3 (7) "HOUSING DEVELOPMENT PROJECT" MEANS THE REHABILITATION OF THE
4 BUILDING LOCATED AT 1113 N. WASHINGTON, PARCEL NUMBER 33-01-01-09-331-
5 152 , (LOT 3 & LOT 4 & E 145 FT OF N 1/2 LOT 5 BLOCK 34 ORIG PLAT) CONSISTING
6 OF NO MORE THAN TWENTY-FOUR (24) QUALIFIED LOW TO MODERATE INCOME
7 RESIDENTIAL APARTMENT UNITS. THE HOUSING DEVELOPMENT PROJECT DOES
8 NOT INCLUDE ANY ADDITIONAL RESIDENTIAL APARTMENTS OR OTHER SPACE
9 ON THE PARCEL, INCLUDING BUT NOT LIMITED TO COMMERICAL SPACE.

10 (8) "LOW INCOME PERSONS OR FAMILIES" MEANS LOW INCOME PERSONS OR
11 FAMILIES AS DEFINED IN SECTION 15(A)(7) OF THE ACT.

12 (9) "MORTGAGE LOAN" MEANS A FEDERALLY-AIDED MORTGAGE OR
13 AUTHORITY-AIDED MORTGAGE OR ADVANCE FROM THE AUTHORITY, AS
14 DEFINED IN THE ACT, TO THE SPONSOR FOR THE CONSTRUCTION AND/OR
15 PERMANENT FINANCING OF THE HOUSING DEVELOPMENT PROJECT.

16 (10) "SPONSOR" MEANS PERSON(S) OR ENTITIES WHICH HAVE RECEIVED OR
17 ASSUMED A MORTGAGE LOAN TO FINANCE THE PROJECT. THE INITIAL SPONSOR
18 UNDER THIS SECTION OF THE ORDINANCE IS SABOURY OLD TOWN LDHA
19 LIMITED PARTNERSHIP, 1525 CAMBRIA DRIVE, EAST LANSING, MICHIGAN.

20 (11) "UTILITIES" MEANS CHARGES FOR FUEL, WATER, SANITARY SEWER SERVICE
21 AND/OR ELECTRICAL SERVICE FURNISHED TO THE OCCUPANTS WHICH ARE PAID
22 BY THE HOUSING DEVELOPMENT.

1 ALL TERMS REFERENCED IN THE ACT BUT NOT DEFINED IN THIS SECTION SHALL
2 HAVE THE MEANINGS GIVEN THEM IN THE ACT.

3 (C) CLASS OF HOUSING DEVELOPMENT. IT IS DETERMINED THAT THE CLASS OF
4 HOUSING DEVELOPMENTS TO WHICH THE TAX EXEMPTION SHALL APPLY AND
5 FOR WHICH A SERVICE CHARGE SHALL BE PAID IN LIEU OF SUCH TAXES SHALL
6 BE HOUSING DEVELOPMENTS WHICH ARE FINANCED OR ASSISTED PURSUANT
7 TO THE ACT. IT IS FURTHER DETERMINED THAT THE HOUSING DEVELOPMENT
8 PROJECT IS OF THIS CLASS.

9 (D) ESTABLISHMENT OF ANNUAL SERVICE CHARGE IN LIEU OF PROPERTY
10 TAXES.

11 (1) SUBJECT TO THE CONDITIONS PRECEDENT IN THIS SECTION, THE HOUSING
12 DEVELOPMENT PROJECT AND THE PROPERTY ON WHICH IT IS SITUATED SHALL
13 BE EXEMPT FROM ALL PROPERTY TAXES FOR AS LONG AS A MORTGAGE LOAN,
14 AS DEFINED ABOVE, REMAINS ON THE HOUSING DEVELOPMENT PROJECT FROM
15 AND AFTER THE COMMENCEMENT OF CONSTRUCTION. THE CITY
16 ACKNOWLEDGES THAT THE SPONSOR AND THE AUTHORITY HAVE ESTABLISHED
17 THE ECONOMIC FEASIBILITY OF THE HOUSING DEVELOPMENT PROJECT IN
18 RELIANCE UPON THE ENACTMENT AND CONTINUING EFFECT OF THIS SECTION
19 AND THE QUALIFICATION OF THE HOUSING DEVELOPMENT PROJECT FOR THE
20 EXEMPTION FROM ALL PROPERTY TAXES AND A PAYMENT IN LIEU OF TAXES AS
21 ESTABLISHED IN THIS SECTION, AND IN CONSIDERATION OF THE SPONSOR'S
22 OFFER, SUBJECT TO RECEIPT OF A MORTGAGE LOAN, TO CONSTRUCT, OWN AND

1 OPERATE THE HOUSING DEVELOPMENT PROJECT. THE CITY AGREES TO ACCEPT
2 PAYMENT OF AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES IN LIEU OF
3 ALL AD VALORUM PROPERTY TAXES, PROVIDED THE SPONSOR FURNISHES THE
4 CITY WITH PROOF OF ITS ANNUAL CERTIFICATION PURSUANT TO THE
5 REQUIREMENTS OF THE ACT AND AT THE REQUEST OF THE CITY, PROOF THAT A
6 MORTGAGE LOAN TO THE SPONSOR IS STILL IN EFFECT AND THAT THE HOUSING
7 DEVELOPMENT PROJECT UNITS HAVE NOT INCREASED, DECREASED OR BEEN
8 ALTERED IN ANY FORM, UNLESS THE CITY HAS OTHERWISE AMENDED THE
9 PROVISIONS OF THIS SECTION.

10 (2) IN ADDITION TO THE ANNUAL CERTIFICATION REQUIREMENT IN PARAGRAPH
11 (1) OF THIS SUBSECTION, THE TAX EXEMPTION SHALL COMMENCE WHEN THE
12 SPONSOR COMPLIES WITH SECTION 15A OF THE ACT, WHICH PROVIDES: THE
13 OWNER OF A HOUSING PROJECT ELIGIBLE FOR THE EXEMPTION SHALL FILE
14 WITH THE LOCAL ASSESSING OFFICER A NOTIFICATION OF THE EXEMPTION,
15 WHICH SHALL BE IN AN AFFIDAVIT FORM AS PROVIDED BY THE AUTHORITY.
16 THE COMPLETED AFFIDAVIT FORM FIRST SHALL BE SUBMITTED TO THE
17 AUTHORITY FOR CERTIFICATION BY THE AUTHORITY THAT THE PROJECT IS
18 ELIGIBLE FOR THE EXEMPTION. THE AUTHORITY THEN SHALL FILE THE
19 CERTIFIED NOTIFICATION OF THE EXEMPTION WITH THE LOCAL ASSESSING
20 OFFICER BEFORE NOVEMBER 1 OF THE YEAR PRECEDING THE TAX YEAR IN
21 WHICH THE EXEMPTION IS TO BEGIN.

1 (3) THE ANNUAL SERVICE CHARGE SHALL BE EQUAL TO FOUR PERCENT OF THE
2 DIFFERENCE BETWEEN THE ANNUAL SHELTER RENTS ACTUALLY COLLECTED
3 AND UTILITIES.

4 (E) LIMITATION ON THE PAYMENT OF THE ANNUAL SERVICE CHARGE.
5 NOTWITHSTANDING SUBSECTION (D), THE SERVICE CHARGE TO BE PAID EACH
6 YEAR IN LIEU OF TAXES FOR THE PART OF THE HOUSING DEVELOPMENT
7 PROJECT THAT IS TAX EXEMPT AND OCCUPIED BY OTHER THAN LOW INCOME
8 PERSONS OR FAMILIES SHALL BE EQUAL TO THE FULL AMOUNT OF THE TAXES
9 THAT WOULD OTHERWISE BE DUE AND PAYABLE ON THAT PORTION OF THE
10 HOUSING DEVELOPMENT PROJECT IF THE PROJECT WERE NOT TAX EXEMPT.

11 (F) PAYMENT OF SERVICE CHARGE. THE SERVICE CHARGE IN LIEU OF TAXES AS
12 DETERMINED UNDER THIS SECTION SHALL BE PAYABLE IN THE SAME MANNER
13 AS GENERAL PROPERTY TAXES ARE PAYABLE TO THE CITY AND DISTRIBUTED
14 TO THE SEVERAL UNITS LEVYING THE GENERAL PROPERTY TAX IN THE SAME
15 PROPORTION AS PREVAILED WITH THE GENERAL PROPERTY TAX IN THE
16 PREVIOUS CALENDAR YEAR, EXCEPT THAT THE ANNUAL PAYMENT SHALL BE
17 PAID ON OR BEFORE JULY 1 OF THE YEAR FOLLOWING THE YEAR UPON WHICH
18 SUCH CHARGE IS CALCULATED. COLLECTION PROCEDURES SHALL BE IN
19 ACCORDANCE WITH THE PROVISIONS OF THE GENERAL PROPERTY TAX ACT
20 (1893 PA 206, AS AMENDED; MCLA 211.1 ET SEQ).

21 (G) CONTRACTUAL EFFECT OF THIS SECTION. NOTWITHSTANDING THE
22 PROVISIONS OF SECTION 15(A)(5) OF THE ACT TO THE CONTRARY, A CONTRACT

1 BETWEEN THE CITY AND THE SPONSOR, WITH THE AUTHORITY AS THIRD-PARTY
2 BENEFICIARY UNDER THE CONTRACT, TO PROVIDE TAX EXEMPTION AND
3 ACCEPT PAYMENTS IN LIEU OF TAXES, AS PREVIOUSLY DESCRIBED, IS
4 EFFECTUATED BY ENACTMENT OF THIS SECTION.

5 (H) DURATION; COMMENCEMENT OF CONSTRUCTION.

6 (1) THE PROPERTY TAX EXEMPT STATUS OF THE HOUSING DEVELOPMENT
7 PROJECT APPROVED BY THIS SECTION SHALL REMAIN IN EFFECT AND SHALL
8 NOT TERMINATE SO LONG AS THE MORTGAGE LOAN FOR THE HOUSING
9 DEVELOPMENT PROJECT REMAINS OUTSTANDING AND UNPAID, OR FOR SUCH
10 PERIOD AS THE AUTHORITY OR OTHER GOVERNMENTAL ENTITY HAS ANY
11 INTEREST IN THE PROPERTY OR THE PROJECT IS SUBJECT TO INCOME AND RENT
12 RESTRICTIONS UNDER § 42 OF THE INTERNAL REVENUE CODE, AS AMENDED;
13 PROVIDED THAT THE REHABILITATION OF THE HOUSING DEVELOPMENT
14 PROJECT COMMENCES WITHIN ONE YEAR FROM THE EFFECTIVE DATE OF THIS
15 SECTION, THAT THE PROJECT IS IN PART FINANCED BY A MORTGAGE LOAN
16 FROM THE AUTHORITY AND THAT THE NUMBER OF UNITS AND THE PURPOSES
17 FOR THE HOUSING DEVELOPMENT PROJECT REMAIN UNCHANGED, SUBJECT TO
18 AMENDMENT IN ACCORDANCE WITH THE LAW. IF THE REHABILITATION OF THE
19 HOUSING DEVELOPMENT PROJECT DOES NOT COMMENCE WITHIN ONE YEAR
20 FROM THE EFFECTIVE DATE OF THIS SECTION, THIS SECTION 888.33 OF THE
21 ORDINANCE SHALL AUTOMATICALLY EXPIRE, TERMINATE AND BE OF NO
22 EFFECT. IF THE SPONSOR FAILS TO OBTAIN WITHIN ONE YEAR OF THE
23 EFFECTIVE DATE OF THIS SECTION A MORTGAGE LOAN AND/OR LOW INCOME

DRAFT

DRAFT #1
JANUARY 21, 2016

HOUSING TAX CREDITS FROM THE AUTHORITY OR CHANGES THE SCOPE OR
PURPOSE OF THE HOUSING DEVELOPMENT PROJECT WITHOUT THE CONSENT OF
THE PEOPLE OF THE CITY, BY AND THROUGH ITS REPRESENTATIVES, AND IN
ACCORDANCE WITH THE REQUIREMENTS OF THE LAW, THIS SECTION SHALL
AUTOMATICALLY EXPIRE, TERMINATE AND BE OF NO EFFECT.

Section 2. Inconsistent Ordinances. All ordinances, resolutions or rules, parts of
ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed as they
pertain to the Saboury Building Apartments.

Section 3. Severability. Should any section, clause or phrase of this ordinance be declared
to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other
than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment unless given
immediate effect by the City Council.

DRAFT

Approved as to form:

City Attorney

Dated: _____

Draft

XIII B 1 a.

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing received a request from Ozone's Brewhouse, LLC for a New Micro Brewer License to be located at 305 Beaver, Lansing, MI 48906, Ingham County; and

WHEREAS, the Committee on General Services met on _____ to review the request with affirmative action taken;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Ozone's Brewhouse, LLC for a New Micro Brewer License to be located at 305 Beaver, Lansing, MI 48906, Ingham County.

BE IT FURTHER RESOLVED, the City Clerk is requested to notify the Michigan Liquor Control Commission of the action taken.

Draft

Draft

XII B. 2. a

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS the City Attorney Janene McIntyre will be unavailable an indeterminate period of time because of a leave of absence; and

WHEREAS, to facilitate the orderly conduct of business in the City Attorney Office the Mayor deems it appropriate to appoint an Interim City Attorney.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby confirms the appointment of F. Joseph Abood as Interim City Attorney, effective February 22, 2016.

Draft



Chris Swope
Lansing City Clerk

February 26, 2016

Members of the Lansing City Council
10th Floor City Hall
Lansing, MI 48933

Dear Councilmembers:

The Minutes from the Meetings of the following Boards, Commissions, and Authorities of the City of Lansing were placed on file in the City Clerk's Office and are available for review in the City Clerk's Office and on the City Clerk's website (www.lansingmi.gov/clerk) under the heading of "Documents Placed on File."

BOARD NAME

DATE OF MEETING

Term Expirations City Boards & Authorities

February 22, 2016

If my staff or I can provide further assistance or information relative to the filing of these minutes, please contact us at 483-4131.

Sincerely,

Chris Swope, CMC, CMMC
Lansing City Clerk



Chris Swope
Lansing City Clerk

February 26, 2016

Mayor Bernero, President Brown Clarke and Council Members
124 W. Michigan Ave., 10th Floor
Lansing, MI 48933

Dear Mayor Bernero, President Brown Clarke and Council Members:

In accordance with Article 5, Section 5-103.4 of the Lansing City Charter, I have prepared the attached report of **Board, Authority, and Commission Term Expirations**.

Please let me know if I can provide any further information in this matter.

Sincerely,

Chris Swope
Lansing City Clerk

Board, Authority, and Commission Term Expirations

Board of Ethics

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2015	Gardner, Penny	Mayoral - At-Large
6/30/2016	Kris, Keith	Council - 4th Ward
6/30/2016	vacant	Mayoral - At-Large

Board of Fire Commissioners

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2015	McConnell, Yvonne	3rd Ward
6/30/2015	Rhode, Jill	At-Large
6/30/2016	Brown, Robert Jr.	4th Ward
6/30/2016	Singleton, Rodney	At-Large

Board of Plumbing

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2014	Garza, Jeremy	Journeyman Plumber
6/30/2015	Steele, Walter	Citizen
6/30/2016	Mowry, Geoffrey	Journeyman Plumber
6/30/2016	Pond, William	Master Plumber
6/30/2016	Reck, Stephen	Citizen

Board of Police Commissioners

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2016	Carnegie, Clyde	4th Ward
6/30/2016	Noordhoek, Robert	At-Large

Board of Public Service

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2016	Krohn, John	At-Large
6/30/2016	vacant	4th Ward

Board of Review

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2016	Sanborn, Diane	At-Large

Board, Authority, and Commission Term Expirations

Board of Water & Light

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2016	Froh, Michael	Meridian/Delhi/DeWitt/La
6/30/2016	Thomas, Tracy	At-Large
6/30/2016	Zerkle, Sandra	4th Ward

Board of Zoning Appeals

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2014	Hovey, Josh	Planning Board Represen
6/30/2015	Shinn, Amber	At-Large
6/30/2016	Alling, Marcy	At-Large
6/30/2016	Rice, Mitch	At-Large

Building Board of Appeals

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2015	Wood, Barry	
6/30/2016	Drake, James R.	
6/30/2016	Heck, Donald	
6/30/2016	Powers, Chad	

Cable Advisory Board

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2010	Penniman, Matthew	At-Large
6/30/2011	Keeney, David	At-Large
6/30/2012	McFadden, Michael	At-Large
6/30/2013	White, Ida	At-Large
6/30/2016	vacant	At-Large

Capital Region Airport Authority

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
9/30/2016	Hufnagel, Paul	City of Lansing

Board, Authority, and Commission Term Expirations

Community Corrections Adv. Bd.

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
9/17/2015	Grewal, Manvir (Mick)	Joint - Criminal Defense
9/17/2015	Johnson, Cynthia	Joint - Adult Probation
12/31/2015	Boles, A'Lynne	City Council Representati
9/17/2016	Barron, Tim	Joint - Communications/
9/17/2016	vacant	Joint - Business Commun

Downtown Lansing, Inc. Board

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2015	Dorshimer, Karl	City Representative
6/30/2015	Johns, Lewis Douglas II	Business Owner
6/30/2016	Anderton, James	Business Owner
6/30/2016	Clacko, Phil	Business Owner

EDC/TIFA/LBRA

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
2/28/2015	Butler, James W.	At-Large
2/28/2016	Garcia, Baldomero	At-Large
2/28/2016	Johnson, Christopher	At-Large
2/28/2016	O'Malley, Kevin	At-Large

Elected Officers Compensation Commission

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
10/1/2016	Berryman, Kurt	At-Large

Electrical Board

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2016	Peters, Joseph	Electric Utility
6/30/2016	vacant	Citizen

Employees Retirement Board

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2012	Dedic, Scott	Citizen Non-Retiree
1/1/2016	Wood, Carol	City Council
6/30/2016	Parker, Mark	Public Service

Board, Authority, and Commission Term Expirations

Historic District Commission

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2013	Nelson, Cassandra	At-Large
6/30/2014	Mondro, Phillip	At-Large
6/30/2015	Sonnenberg, Curtis	At-Large
6/30/2015	Truscott, Tom	At-Large
6/30/2015	Winans, Nathalie	At-Large
6/30/2016	Skillings, Carol	At-Large
6/30/2016	Wood, Kara	At-Large

Human Rel. & Comm. Serv. Board

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2010	Solis, Jonathan	At-Large
6/30/2015	Roberts, Wendy	At-Large
6/30/2016	John, Katie	At-Large
6/30/2016	vacant	4th Ward

Income Tax Board of Review

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2014	DeMartelaere, Michael	At-Large
6/30/2014	Salzman, Kenneth	At-Large
6/30/2014	Traub, Robert	At-Large

Joint Building Authority

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2006	Lannoye, Mary	Joint Appointee
6/30/2014	Ambrose, Jerry	Lansing Appointee

Lansing Entertainment & Pub. Facil. Auth

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2015	Janssen, Charles	At-Large
6/30/2015	Mickens, Charles	At-Large
6/30/2016	Bowen, Cynthia	At-Large
6/30/2016	Kaltenbach, Tim	At-Large
6/30/2016	vacant	City Market Vendor

Board, Authority, and Commission Term Expirations

Lansing Housing Commission

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2014	Frens, Greg	At-Large
6/30/2015	Deschaine, Bethany	At-Large
6/30/2016	Helvey-Koppelman, Emma	At-Large

Local Development Finance Authority

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2015	Gamble, Chad	City of Lansing
6/30/2016	Garcia, Baldomero	City of Lansing

Mechanical Board

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2013	Ryan, Patrick	Contractor

Memorial Review Board

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2011	Appling, Linda	3rd Ward
6/30/2011	Enriquez, Maria	At-Large
6/30/2013	Davis, Willie	1st Ward
6/30/2013	Moore, Angela	At-Large
6/30/2014	Moore, Suzanne	4th Ward
6/30/2014	VanCore, Maria	At-Large
6/30/2016	Rogers, Chad	At-Large

Michigan Ave. Corridor Improvement Auth.

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2016	Lum, Jonathan	Resident

Next Michigan Development Corporation

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
4/15/2015	Nicholoff, Kris	At-Large
4/15/2016	Mann, Julie	At-Large

Board, Authority, and Commission Term Expirations

Park Board

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2016	Holland, Paul	At-Large
6/30/2016	McClurken, Jim	4th Ward

Planning Board

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2016	Hovey, Josh	4th Ward
6/30/2016	Martinez, Lynne	At-Large

Police & Fire Retirement Bd of Ttees

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
12/31/2015	Fabus, Thomas	Police
1/1/2016	Wood, Carol	City Council

Potter Park Zoo Board

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
12/31/2015	Kibbey, Rick	City of Lansing

Saginaw St. Corridor Improvement Auth.

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
6/30/2014	Schury, Michael	
6/30/2015	Benck, Lisa	
6/30/2016	Ford, Bob	
6/30/2016	Thomas, Robert	

Tri-County Regional Planning Commission

TERM EXPIRATION	LAST NAME/FIRST NAME	POSITION
12/31/2003	Rodgers, Shirley	
12/31/2015	Brown Clarke, Judi	Elected
12/31/2015	Swope, Chris	Elected
12/31/2015	Yorko, Jessica	Elected



Chris Swope
Lansing City Clerk

February 26, 2016

President and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Council Members:

The attached application has been submitted to the City Clerk's Office, and is being forwarded for your consideration and appropriate action.

Non-Profit Recognition, Lemata, Inc.

Sincerely,

Chris Swope
City Clerk



City of Lansing, Michigan
Application for Request for Non-Profit Status in the City of Lansing

Organization Name (As Incorporated): LEMATA, INCORPORATED

Address: 2411 COGSWELL DR., LANSING

City: LANSING State: MICH Zip: 48906

Contact Person: SHIRLEY ELLIS, PRES.

Main Contact Number: (517) 853-7793 Secondary Contact Number: (517) 230-5021

Email Address: contact.us@lemata.org

Please include the following with your application:

- a. A copy of your 501(c)3 Designation
- b. A copy of your Articles of Incorporation
- c. A copy of your Bylaws
 - ☒ Includes in bylaws a dissolution provision a plan to distribute all the remaining assets to ensure that
 - 1. All financial and contractual obligations are fulfilled and that
 - 2. Remaining assets are distributed only to one or more similar nonprofit, tax exempt organizations and/or institutions
- d. Non-refundable application fee of \$100.00 or fee waiver request*

I hereby certify that this application is complete and accurate to the best of my knowledge, information and belief.

Shirley Ellis
Signature

2/19/16
Date

*Fee waiver request

I hereby certify that the assets of this non-profit organization are less than \$2,500 and I request the fee be waived. The fee would cause an extreme hardship because:

Signature

Date

Please submitted completed application and attached documents, please return it to:

Chris Swope, City Clerk
Lansing City Clerk's Office

Ninth Floor, City Hall, 124 W. Michigan Ave., Lansing, MI 48933-1695

RECEIVED
FEB 24 PM 12:45
LANSING CITY CLERK



Charitable Gaming Division
Box 30023, Lansing, MI 48909
OVERNIGHT DELIVERY:
101 E. Hillsdale, Lansing MI 48933
(517) 335-5780
www.michigan.gov/cg

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES

(Regulated by MCL 432.103(K)(ii))

At a _____ meeting of the _____
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by _____ on _____
DATE

at _____ a.m./p.m. the following resolution was offered:
TIME

Moved by _____ and supported by _____

that the request from LEMATA, INCORPORATED of LANSING,
NAME OF ORGANIZATION CITY

county of INGHAM, asking that they be recognized as a
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining charitable

gaming licenses, be considered for _____
APPROVAL/DISAPPROVAL

APPROVAL

Yeas: _____

Nays: _____

Absent: _____

DISAPPROVAL

Yeas: _____

Nays: _____

Absent: _____

I hereby certify that the foregoing is a true and complete copy of a resolution offered and
adopted by the _____ at a _____
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL

meeting held on _____
DATE

SIGNED: _____
TOWNSHIP, CITY, OR VILLAGE CLERK

PRINTED NAME AND TITLE

ADDRESS

COMPLETION: Required.
PENALTY: Possible denial of application

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: JAN 3 1991

LEMATA, INCORPORATED
3815 W SAINT JOSEPH HWY STE 3-101
LANSING, MI 48917

Employer Identification Number:
33-0652363
EIN:
331251004
Contact Person:
JAMIE N HEITBRINK ID# 31644
Contact Telephone Number:
3771 229-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990 Required:
Yes
Effective Date of Exemption:
October 29 2010
Contribution Deductibility:
Yes
Addendum Applies:
No

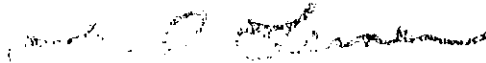
Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2105 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.


Sincerely,



Lois G. Lerner
Director, Exempt Organizations

Enclosure: Publication 4221 PC

Letter 947 (DO/CG)

**LARA**
Department of Licensing and Regulatory Affairs

MICHIGAN.GOV
Michigan's
Official
Web Site

[Michigan.gov Home](#) | [Business Entity Search Home](#) | [Corps Home](#) | [Contact Corporations](#) | [LARA Home](#)

CORPORATE ENTITY DETAILS

Searched for: LEMATA, INCORPORATED

ID Num: 70750Q

Entity Name: LEMATA, INCORPORATED

Type of Entity: Domestic Nonprofit Corporation

Resident Agent: SHERLY ELLIS

Registered Office Address: 2411 COGSWELL DR LANSING MI 48917

Mailing Address: P.O. Box 80943 LANSING MI 48908

Formed Under Act Number(s): 162-1982

Incorporation/Qualification Date: 10-29-2010

Jurisdiction of Origin: MICHIGAN

Number of Shares: 0

Year of Most Recent Annual Report: 14

Year of Most Recent Annual Report With Officers & Directors: 13

Status: ACTIVE Date: Present

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**MICHIGAN DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH
BUREAU OF COMMERCIAL SERVICES**

Date Received
OCT 28 2010

ADJUSTED PURSUANT TO
TELEPHONE AUTHORIZATION

per S. KELLS
This document is effective on the date filed, unless a
subsequent effective date within 90 days after received
date is stated in the document.

FILED

OCT 29 2010

Name

LEMATA

Address

3815 W. ST. JOSEPH STREET, SUITE A-101

City

LANSING

State

MI

ZIP Code

48917

Administrator
BUREAU OF COMMERCIAL SERVICES

EFFECTIVE DATE:

Document will be returned to the name and address you enter above.
If left blank, document will be returned to the registered office.

70750Q

ARTICLES OF INCORPORATION

For use by Domestic Nonprofit Corporations

(Please read information and instructions on the last page)

Pursuant to the provisions of Act 162, Public Acts of 1982, the undersigned corporation executes the following Articles:

ARTICLE I

The name of the corporation is:

LEMATA

ARTICLE II

The purpose or purposes for which the corporation is organized are:

TO BRING ABOUT AWARENESS AND EDUCATION OF CANCERS AND OTHER DEBILITATING AND/OR TERMINAL DISEASES. THE DISSEMINATION OF MATERIALS AND SUPPORT TO OTHER EDUCATIONAL ORGANIZATIONS ABOUT THE MANY FACETS OF CANCERS AND OTHER DEBILITATING AND/OR TERMINAL DISEASES.

ARTICLE III

1. The corporation is organized upon a NONSTOCK basis.
(Stock or Nonstock)

2. If organized on a stock basis, the total number of shares which the corporation has authority to issue is

N/A

If the shares are, or are to be, divided into classes, the designation of each class, the number of shares in each class, and the relative rights, preferences and limitations of the shares of each class are as follows:

70 - amb 139289

ARTICLE III (cont.)

3. a. If organized on a nonstock basis, the description and value of its real property assets are: (if none, insert "none")

NONE

b. The description and value of its personal property assets are: (if none, insert "none")

NONE

c. The corporation is to be financed under the following general plan:

GRANTS AND DONATIONS

d. The corporation is organized on a DIRECTORSHIP basis.
(Membership or Directorship)

ARTICLE IV

1. The name of the resident agent at the registered office is:

SHERLY ELLIS

2. The address of its registered office in Michigan is:

3815 W. ST. JOSEPH STREET, SUITE A-101 LANSING, Michigan 48917
(Street Address) (City) (ZIP Code)

3. The mailing address of the registered office in Michigan if different than above:

_____, Michigan _____
(Street Address or PO Box) (City) (ZIP Code)

ARTICLE V

The name(s) and address(es) of the incorporator(s) is (are) as follows:

Name

Residence or Business Address

SHERLY ELLIS

3815 W. ST. JOSEPH STREET, SUITE A-101, LANSING, MI

Use space below for additional Articles or for continuation of previous Articles. Please identify any Article being continued or added. Attach additional pages if needed.

I, (We), the incorporator(s) sign my (our) name(s) this 28th day of October, 2010

Sherly Ellis

**MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF COMMERCIAL SERVICES**

Date Received

DEC 22 2011

**ADJUSTED PURSUANT TO
TELEPHONE AUTHORIZATION**

Per Joni
This document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.

FILED

DEC 22 2011

Administrator
Bureau of Commercial Services

Name

LEMATA, Incorporated

Address

3815 W. St. Joseph Street, Suite A-101

City

Lansing

State

MI

ZIP Code

48917

EFFECTIVE DATE:

Document will be returned to the name and address you enter above.
If left blank, document will be returned to the registered office.

CERTIFICATE OF AMENDMENT TO THE ARTICLES OF INCORPORATION

For use by Domestic Profit and Nonprofit Corporations

(Please read information and instructions on the last page)

Pursuant to the provisions of Act 284, Public Acts of 1972, (profit corporations), or Act 162, Public Acts of 1982 (nonprofit corporations), the undersigned corporation executes the following Certificate:

1. The present name of the corporation is:

LEMATA, Incorporated

2. The identification number assigned by the Bureau is:

70750Q

3. Article II of the Articles of Incorporation is hereby amended to read as follows:

To bring about awareness and education of cancers, life altering illnesses, other debilitating and/or terminal diseases to include special needs, developmentally challenged and differently abled.

The dissemination of materials and support to other educational organizations about the many facets of cancers, life altering illnesses, other debilitating and/or terminal diseases to include special needs, developmentally challenged and differently abled.

The purpose of LEMATA, Incorporated is that it was organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

Upon the dissolution of LEMATA, Incorporated, assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local, for a public purpose. Any such assets not so disposed of, shall be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

110 - CUB 153214

6. Nonprofit corporation only: Member, shareholder, or board approval

The foregoing amendment to the Articles of Incorporation was duly adopted on the 19th day of December, 2011 by the (check one of the following)

Member or shareholder approval for nonprofit corporations organized on a membership or share basis

- ☐ members or shareholders at a meeting in accordance with Section 611(2) of the Act.
- ☐ written consent of the members or shareholders having not less than the minimum number of votes required by statute in accordance with Section 407(1) and (2) of the Act. Written notice to members or shareholders who have consented in writing has been given. (Note: Written consent by less than all of the members or shareholders is permitted only if such provision appears in the Articles of Incorporation.)
- ☐ written consent of all the members or shareholders entitled to vote in accordance with section 407(3) of the Act.

Directors (Only if the Articles state that the corporation is organized on a directorship basis)

- ☐ directors at a meeting in accordance with Section 611(2) of the Act.
- ☒ written consent of all directors pursuant to Section 525 of the Act.

Nonprofit Corporations

Signed this 19th day of December, 2011

By *Sherly Ellis*
(Signature of President, Vice-President, Chairperson or Vice-Chairperson)

Sherly Ellis President
(Type or Print Name) (Type or Print Title)

BY-LAWS
OF
LEMATA, INCORPORATED

ARTICLE ONE. OFFICE

Section 1.1 Principal Office. The principal office of LEMATA, INCORPORATED will be located in Lansing, Michigan.

ARTICLE TWO. REFERENCES AND DEFINITION

Section 2.1 The expression, "LEMATA" or the "corporation" as used herein, shall all mean and refer to LEMATA.

Section 2.2 Additional references or definitions. As used herein, the following expressions shall have the meanings ascribed to them:

- (a) "President" shall mean the President of the Board of Directors.
- (b) "Board" shall mean and refer to the Board of Directors.

ARTICLE THREE. NON-PROFIT PURPOSE

Section 3.1 IRS Section 501 C (3) Purpose. This corporation is organized exclusively for one or more of the purposes as specified in Section 501 C (3) of the Internal Revenue Code, including, for purposes, making distributions to organizations under Section 501 C (3) of the Internal Revenue Code.

Section 3.2 Specific objectives. The specific objectives of this corporation shall be:

- a) Provide a powerful, dynamic message of love, hope and healing to those challenged by physical, mental and emotional illnesses and disabilities by bringing awareness to others through the dynamics of modeling.
- b) Raise awareness and spotlight the talents of those who are differently-abled.
- c) Serve as a conduit for the dissemination of information regarding physical, emotional and mental health issues.

Section 3.3 Prohibitions. LEMATA is prohibited from taking any action that is antagonistic or incompatible with the business interests of Legacy Model & Talent Agency.

ARTICLE FOUR. DIRECTORS

Section 4.1 General Powers. The Founder/President with the appointed Board shall manage the business, property and affairs of the corporation.

Section 4.2 Composition. There shall be no less than three (3) or more than seventeen (17) directors on the Board. The number of directors may be increased or decreased from time-to-time as provided in Section 5.2 of Article 5.

Section 4.3 Appointments and Tenure. The Board of Directors of LEMATA, shall select each director of the Corporation, excluding the Founder/President. Each director shall hold office for the term of which the director is appointed or until the director's successor is appointed and qualified, or until the director's resignation or removal.

Section 4.4 Resignations. Any director may resign at any given time by providing written notice to the Corporation. Notice of resignation will be effective upon receipt or at the subsequent time designed in the notice. A successor may be appointed as provided in Section 4.6 of this Article.

Section 4.5 Removals. Any director may be removed with cause by the Founder/President and Board of Directors of LEMATA, with the exception of the Founder/President, this cause to be determined by the Founder/President and Board of Directors at their election, both removal, termination, and or/resignation, as well as the adding of additional Board members, requires the unanimous vote of all currently seated Board of Directors.

Section 4.6 Board Vacancies and Enlargement. A vacancy on the Board may be filled with a person selected by Founder/President or the Board of Directors of LEMATA, (unanimously). A directorship, which will be filled because of a vacancy, may be filled only for a time lasting until the next annual meeting for selection of directors.

Section 4.7 Voting Issues. Any vote to change or affect major decision making processes within the Board of Directors as it affects LEMATA, regarding corporate and business policies, amendments to the Corporation bylaws will require two-thirds (2/3) of the actively seated Board's vote. All other issues involving the Corporation and its affairs, including those issues that allow for a designated individual of the board members to vote, will require a simple majority.

Section 4.8 Meetings. Regular meetings of the Board may be held at the time and place as determined by resolution of the Board. Meetings and voting of all business affairs requires a quorum.

Section 4.9 Quorum. A majority of the total board membership attending a meeting shall constitute a quorum at any meeting.

Section 4.10 Special Meetings. Special meetings of board members may be called by the Founder/President or Board of directors. Notice of the time and place such special meetings shall be given to each director in any manner, but at no time shall be less than three (3) days before that meeting takes place.

Section 4.11 Executive Committee. The Executive Committee will be comprised of the President, Vice President, Secretary and Treasurer. The Executive Committee shall implement the policies of the Board and shall act for the Board between meetings of the Board. The Executive Committee shall have meetings between board meetings as determined by resolution of the Board. The Founder/President may call special meetings of the Executive Committee with at least three (3) days notice.

Section 4.12 Statement of Purpose. Neither the business to be transacted nor the purpose of any regular or executive meeting of the Board need be specified in the notice for that meeting.

Section 4.13 Waiver of Notice. Whenever any notice is required to be given under the provisions of the Not-for-Profit Corporation Law of Michigan or under the provisions of the Certificate of incorporation or the bylaws of this corporation, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

Section 4.14 Meeting by Telephone or Similar Equipment. A director may participate in a meeting by conference telephone or any similar communications equipment through which all persons participating in the meeting can hear each other. Participation in a meeting pursuant to this section constitutes presence in person at the meeting.

Section 4.15 Absences. At no time will a Director be absent from six (6) called Board meetings within one calendar year. In the event that there are more than six absences by any given Board member, it could result in direct cause for termination if so deemed by the Corporation.

Section 4.16 Annual Membership. The board is required to hold an annual membership meeting.

ARTICLE FIVE. OFFICERS

Section 5.1 Designation of Officers. The Officers of the Corporation shall be a President, a Secretary, and a Treasurer. The corporation may also have a Chairperson of the Board, one or more Vice Presidents, Assistant Secretaries, Assistant Treasurers, and other such officers with such titles as may be determined from time to time by the Board of Directors. Fraternization between officers serving as President/Founder and Treasurer is prohibited.

Section 5.2 Elections and Term of Officer. Officers shall be appointed by the Founder/President for the first year; All officers, with the exception of the Founder/President, shall hold office until he or she resigns or is removed or is otherwise disqualified to serve. Number of directors may be increased or decreased from time to time.

Section 5.3 Removals. Any director may be removed, with the exception of the Founder/President; either with or without cause, by the vote of two-thirds (2/3) of the members of the board of directors at a special meeting called for that purpose. At any such meeting, any vacancy caused by the removal may be filled as stated above.

Section 5.4 Resignations. Any officer may resign at any time by giving written notice to the Board of Directors or to the Founder/President or Secretary of the corporation. Any such resignation shall take effect at the date of the receipt of such notice or at any later date specified therein, and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. The above provisions of this Section shall be superseded by any conflicting terms of a contract, which has been approved or ratified by the Board of Directors relating to the employment of any office of the corporation

Section 5.5 Vacancies. Whenever a vacancy exists on the board of directors, whether by death, resignation, or otherwise, the vacancy shall be filled by appointment by a majority of the remaining directors at a regular or special meeting of the board, except Founder/President.

Section 5.6 Duties of Founder/President. The President shall:

(a). Be the Chief Executive Officer of the corporation and shall, supervise and control the affairs of the corporation and the activities of the officers.

(b). Preside at all meetings of the Board of Directors.

(c). In the name of the corporation, execute such deeds, mortgages, bonds, contracts, checks, or other instruments, which may from time to time be subject to review and authorization by the Board of Directors.

(d). Perform all duties incident to his or her office and such other duties as may be required by law, by the Articles of Incorporation, or by these By-laws, or which may be prescribed from time to time by the Board of Directors.

(e). Founder/President shall appoint a replacement upon his/her resignation.

Section 5.7 Duties of Vice President. The Vice President shall:

(a). Shall serve as acting President in the absence of the President with all the rights and responsibilities thereof.

(b). Complete other duties delegated by the President or the Board of Directors.

(c). Perform other such duties as are normally assigned to a Vice-President.

(d). Return all books, records, papers, and other property of whatever kind

in the Vice-President's possession or under his or her control belonging to the Organization within 30 days of leaving office.

Section 5.8 Duties of Secretary **The Secretary shall:**

(a) Certify and keep at the principal office of the corporation the original, or a copy, of these bylaws in one or more books provided for that purpose.

(b) Keep at the principal office of the corporation or at such other place as the board may determine, a book minutes of all meetings.

(c) See that all notices are duly given in accordance with the provision of these bylaws or as required by law.

(d) Be custodian of the records and of the seal of the corporation and affix the seal, as authorized by law or the provisions of these bylaws, to duly executed documents of the corporation.

(e) Keep at the principal office of the corporation a membership book containing the name and address of each and any members, and in the case where any membership has been terminated, he or she shall record such fact in the membership book together with the date on which such membership ceased.

(f) Exhibit at all reasonable times to any director of the corporation, or to his or her agent or attorney, on request therefore, the bylaws, the membership book, and the minutes of the proceedings of the directors of the corporation.

(g) In general, perform all duties incident to the office of Secretary and such other duties as may be required by law, by the Articles of Incorporation, or by these bylaws, or which may be assigned to him or her from time to time by the Board of Directors.

Section 5.9 Duties of Treasurer. **The Treasurer shall:**

(a) Have charge and custody of, and be responsible for, all funds and securities of the corporation, and deposit all such funds in the name of the corporation in such funds in the name of the corporation in such banks, trust companies, or their depositories as shall be selected by the Board of Directors.

(b) Receive, and give receipt for, monies due and payable to the corporation from any source whatsoever.

(c) Disburse or cause to be disbursed, the funds of the corporation as may be directed by the Board of Directors, taking proper vouchers for such disbursements.

(d) Keep and maintain adequate and correct accounts of the corporation's properties and business transactions, including accounts of its assets, liabilities, receipts, and disbursements, gains and losses.

(e) Exhibit at all reasonable times the books of account and financial records to any director of the corporation, or to his or her agent or attorney, on request therefore.

(f) Render to the Founder/President and directors, whenever requested, an account of any or all of his or her transactions as Treasurer and of the financial condition of the corporation.

(g) Prepare, or cause to be prepared, and certify, or cause to be certified, the financial statements to be included in any required reports.

(h) In general, perform all duties incident to the office of Treasurer and such other duties as may be required by law, by the Articles of Incorporation of the corporation, or by these By-laws, or which may be assigned to him or her from time to time by the Board of Directors.

ARTICLE SIX. COMMITTEES

Section 6.1 Executive Committee. The Board of Directors may, by majority vote of its members designate an Executive Committee consisting of the Officers of the Board and may delegate to such committee the powers and authority of the board in the management of the business and affairs of the corporation, to the extent permitted, and except as may otherwise be provided by provisions of law.

The Executive Committee shall keep regular minutes of its proceedings, cause them to be filed with the corporate records, and reports the same to the board from time to time as the board may require.

Section 6.2 Other Committees. Other committees not having and exercising the managerial authority of the board of directors, may be established by resolution duly adopted by majority vote of the board of directors. Except as may be provided by resolution; members of committees may be members of the corporation, and shall be appointed by the Founder/President. Any member may be removed by the Founder/President whenever in the judgment of the Founder/President the interests of the corporation would be best served by removal.

Section 6.3 Establishment of Committees. The board of directors shall establish committees as needed. The Founder/President shall appoint the chairs of committees with approval by the board of directors. All organization board members are eligible to serve on committees. The number of committee members may vary.

Section 6.4. Terms of Office. Each member of a committee shall continue as such until the next annual meeting of board members of the corporation and until his or her successor is

appointed, unless such committee shall be sooner abolished, or unless such member be removed or cease to qualify as a member of the committee.

Section 6.5. Activities. The board of directors prior to implementation of activities must approve committee plans of action and budget requests.

ARTICLE SEVEN. MEMBERSHIP DUES AND FEES

Section 7.1. Membership. Board members are required to pay annual organizational dues and/or fees. Board membership is open to members who pay the annual organization dues and fees established by the board of directors and are granted board membership and voting rights provided they are paid and in good standing. The board members are eligible to vote on all matters, and may be selected as an officer.

Section 7.2. General Membership. General members are required to pay annual organizational dues and/or fees. General membership is open to members who pay the annual organization dues and fees established by the board of directors. General members are eligible to vote on selection of board directors with the exception of voting for Founder/President.

Section 7.3. Annual Dues. The board of directors may determine from time to time the amount of annual dues payable to the corporation by members.

ARTICLE EIGHT. PARLIMENTARY PROCEDURES

Section 8.1. Parlimentary Procedures. The Organization in the conducting of its business, as modified by the laws and rules of procedure, shall observe Robert's Rules of Order.

ARTICLE NINE. DISSOLUTION

Section 9.1. Dissolution. In the event of dissolution, all assets remaining after the payment of claims against LEMATA shall be distributed to such organizations qualifying under Section 501c (3) of the Internal Revenue Code of 1954, as amended, in a manner determined by the Board of Directors to best accomplish the general purposes for which the LEMATA CORPORATION, INC. was established.

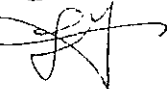
ARTICLE TEN. INDEMNIFICATION

Section 10.1. Indemnification and Insurance. The Organization shall, to the fullest extent permitted by law and by regulations and rulings issued by the Internal Revenue Service, indemnify any Officer of the Organization (and, to the extent provided in a resolution of the Officers or by contract, may indemnify any employee or agent of the Organization) who was or is a party to or threatened to be made a party to any threatened, pending or completed civil action, suit or proceeding by reason of such status. Any such person may also obtain indemnification for actions arising due to services performed for other entities at the request of the Organization. Indemnification shall be provided against expenses (other than taxes, penalties, or expenses of correction) including attorney's fees (which may be paid by the

Organization in advance of the final disposition of such action as provided by law), actually and reasonably incurred by such person if he or she acted (or refrained from acting) in good faith and in a manner such person reasonably believed to be in the best interests of the Organization, and such person is either successful in his or her defenses or the proceeding is terminated by settlement. The Organization may purchase and maintain insurance on behalf of any such person against any liability (including penalties, taxes, expenses or correction, judgments, settlements or expenses) asserted against him or her and incurred by him or her in any such capacity or arising out of his or her status as such, whether or not the Organization would have the power to indemnify him or her against such liability under provisions of this Article or under the provisions of Sections 561 through 565 of the Michigan Nonprofit Organization Act.

Adopted on the 18th day of July, 2011 by the Secretary of the Board of Directors.

By:  Date: 7/18, 2011

Title: Secretary 

LEMATA, Inc.
A Michigan Nonprofit Corporation



Chris Swope
Lansing City Clerk

February 26, 2016

President and Members of the Lansing City Council
10th Floor City Hall
Lansing, MI 48933

Re: Memorial Review Board Rules of Administrative Procedure

Dear President and Members of Council:

The attached Memorial Review Board Rules of Administrative Procedure have been approved by the City Attorney and submitted to my office. The Lansing City Charter provides "The rules shall be effective at the conclusion of the Council meetings at which they are received unless the Council directs otherwise." The Charter further provides "The Council may object to the rules in whole or in part and may return them to the board proposing their adoption with a statement of its objections and recommendations.

Sincerely,

Chris Swope, CMC
Lansing City Clerk

CITY OF LANSING
MEMORIAL REVIEW BOARD

RULES OF ADMINISTRATIVE PROCEDURE

The following rules of procedure are adopted by the Lansing Memorial Review Board (herein "Board") to facilitate the performance of its duties and the exercising of its responsibilities, in its capacity as set forth in Article 5, Chapter 1 of the Lansing City Charter and Chapter 1034 of the Lansing Code of Ordinances.

Section 1.0 OFFICERS

1.1 Selection of Officers

- A. The Board shall, at its first annual meeting, elect from among the members a Chairperson and Vice Chairperson by a majority vote.
- B. The terms of office for the Chairperson and the Vice Chairperson shall expire upon the date of June 30th of each year.
- C. If either position is vacated for whatever reason, the remaining members shall elect from the seated members a new Chairperson or Vice Chairperson to fulfill the unexpired term by a majority vote.
- D. The Board shall designate a Recording Secretary of the Memorial Review Board. If the Recording Secretary is not a member of the Board, the Recording Secretary shall not be entitled to vote on matters before the Board.

1.2 Duties of the Board

The Board shall perform the duties and activities set forth in Chapter 1034 of the Lansing Code of Ordinances.

1.3 Duties of the Chairperson

The duties of the Chairperson shall be as follows:

- A. The Chairperson shall preside at all meetings of the Board; perform such other duties as may be directed by the Board; and perform such other duties as are normal and customary to the office.
- B. The Vice Chairperson shall act in the capacity of the Chairperson in the event of absence or incapacity for the balance of the Chairperson's term.

1.4 Duties of the Recording Secretary

The duties of the Recording Secretary are as follows:

- A. The Recording Secretary shall be responsible for maintaining the minutes of Board meetings and shall have them available in suitable volumes. Proposed minutes shall be available for public inspection no later than eight (8) business days after that meeting. Approved minutes shall be available for public inspection not later than five (5) business days after the meeting at which the minutes are approved. Copies of the minutes shall be distributed to all Board members prior to the meeting at which they will be considered for approval.
- B. The Recording Secretary shall file the approved minutes of each Board meeting in the office of the City Clerk as a public record. Sec. 1.4(A).
- C. The Recording Secretary shall be responsible for keeping a record all business of the Board.
- D. All communications, petitions, applications and reports shall be addressed to the Board and delivered or mailed to the Recording Secretary.
- E. The Recording Secretary shall perform other duties as the Board may determine or direct and perform such other duties as are normal and customary to said office.
- F. The Recording Secretary shall cooperate and assist the City Freedom of Information Act officer in responding to requests for information in accordance with the Michigan Freedom of Information Act, being 1977 PA 442 as amended; MCL 15.231 et. seq.

Section 2.0 MEETINGS

2.1 Meetings

- A. The Board shall vote annually on a schedule of meeting times. The meetings shall be held at these times unless cancelled by the Chairperson or rescheduled by vote.
- B. The business conducted by the Memorial Review Board shall be open to the public and held in compliance with Act 267 of the Public Acts of 1976, as amended, being MCL 15.261 to 15.275. Public notice of the time, date and place of such meetings shall be given in the manner required by the Act.
(Ord. No. 1147, § 1, 12-8-09)
- C. Members of the general public are permitted to attend the Board meetings

and shall have a reasonable opportunity to speak on issues before the Board, provided that the Board may limit the time for public comment and the length of time permitted to all speakers generally, and may grant such additional time to any speaker as the Board deems consistent with its carrying out of its duties and functions.

2.2 Quorum

- A. A majority of the persons on the Board appointed shall constitute a quorum for the transaction of business.
- B. The Board shall take no official action or make any determination without the concurrence of a majority of a quorum.
- C. Whenever a quorum is not present at a meeting, those present may adjourn the meeting or may meet as a Committee of the Whole for the purpose of receiving information and accepting public comments on such matters as are on the agenda. However, no official action(s) may be taken.

2.3 Attendance

- A. Board members shall attend scheduled meetings regularly.
- B. Following roll call, the Chairperson shall inquire whether any absent member had requested their absence be excused. The Recording Secretary or any member of the Board may relate to the Chairperson any such request made to them and the reason for that request. A motion to excuse that member may be approved by a majority vote of the members at a meeting in which there is a quorum.
- C. Any Board member who is absent without being excused from three (3) consecutive meetings may be removed from the Board in accordance with Section 5-105.7 of the Lansing City Charter.
- D. The Chairperson shall transmit notice of these absences to the Mayor by letter upon an affirmative vote of four (4) members.
- E. Such procedures do not prohibit a member from voluntary resignation.

2.4 Order of Business

The Agenda for each meeting, prepared by the Recording Secretary, shall contain the following elements:

- 1. Call to Order
 - A. Roll Call

- B. Excused Absences
- 2. Approval of the Agenda
- 3. Communications
- 4. Business Session
 - A. Approval of Minutes
 - B. Reports, Presentation, Board Questions and Discussions
 - C. Old Business
 - D. New Business
 - E. Board Member Comments
- 5. Items under Suspension of the Rules
- 6. Public Comment
- 7. Adjournment

2.5 Motions

- A. Motions made by a member shall be restated by the Chairperson before a vote is taken.
- B. The names of the persons making the motion and its second shall be recorded in the minutes.

2.6 Voting

- A. Voting shall be recorded by verbal ayes and nays, unless otherwise ordered by the Chairperson, except that roll call votes shall be taken on official action and determinations.
- B. All members of the Board in attendance shall vote on all matters unless recused.
- C. The Chairperson shall vote last.

2.7 Notification of the Board Action

A copy of the letter notifying the Mayor and City Council of action taken by the Board will be sent to the originators of a request for the Board to study a particular item.

2.8 Parliamentary Procedure

Meetings shall be conducted according to Robert's Rules of Order, Revised (except the Chairperson shall be entitled to vote).

Section 3.0 AMENDMENTS

3.1 Amendments to the Rules of Administrative Procedure

Amendments to the Rules of Administrative Procedure may be initiated by any member of the Board at any regular meeting and voted upon at the next regular meeting. All Board members must be notified of such amendments by mail at least three (3) days before the amendment is to be voted upon. The affirmative vote of five (5) members present shall be required to amend the Rules of Administrative Procedure.

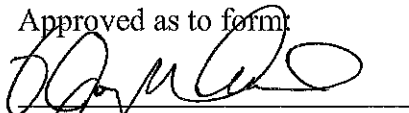
3.2 Suspension of Rules

It shall require a majority of those members present of the Board to suspend the Rules of Administrative Procedure.

THESE RULES OF ADMINISTRATIVE PROCEDURE ARE ADOPTED THE 9th DAY OF FEBRUARY, 2016.

BY THE MEMORIAL REVIEW BOARD

Approved as to form



City Attorney



OFFICE OF MAYOR VIRG BERNERO
124 W. MICHIGAN AVENUE – NINTH FLOOR
LANSING, MI 48933

TO: City Council President Judi Brown Clarke and Council Members

FROM: Mayor Virg Bernero

DATE: February 25, 2016

RE: Sole Source Purchase—Carrier and Gable—Quadguard Attenuator—
Public Service Dept.

The attached correspondence is forwarded for your review and appropriate action.

VB/rh
Attachment

CITY of LANSING
INTEROFFICE COMMUNICATION

TO: Virg Bernero, Mayor
FROM: Stephanie Robinson CPPB, Senior Buyer
DATE: Feb. 22, 2016
SUBJECT: Sole Source Purchase – Carrier and Gable

Please include this Sole Source packet of information in your transmittal to Council as required by the Purchasing Ordinance Section 206.05.

In summary, the Purchasing Office processed the following Sole Source transaction:

Department: Public Service Department, Operations and Maintenance Division
Vendor: Carrier and Gable
Item Purchased: Quadguard Attenuator
Dollar Amount: \$23,753.80

Additional information pertaining to this purchase is attached for your information.

This letter is filed in accordance with the Purchasing Ordinance Section 206.05 (a) and (b).

sr

CITY of LANSING

INTEROFFICE COMMUNICATION

TO: Randy Hannan, Chief of Staff
Chad Gamble, Chief Operating Officer

FROM: Stephanie Robinson, CPPB Buyer

DATE: February 17, 2016

SUBJECT: Sole Source Purchase – Carrier & Gable – Quadguard Attenuator

The Public Service Department - Property Management Division requests that Carrier & Gable be designated as a sole source vendor for one (1) Quadguard II TL-3 Crash Attenuator System utilized by the City of Lansing to replace a damaged attenuator on MLK @ I-96.

Please see the attached letter and approval from Brian Love and Victor Rose regarding the request.

Based on the attached letter we recommend issuing a sole source purchase order to Carrier & Gable in the approximate amount of \$23,753.80 from account number 2023636.746200 per the request of the Public Service Operations and Maintenance Division.

Attachment

Date _____

Approved _____ Denied _____

Virg Bernero, Mayor

**CARRIER & GABLE, INC.**

24110 Research Drive
Farmington Hills, MI 48335
(248) 477-8700 (248) 473-0730 • FAX

www.carriergable.com

QUOTATION

Sales Quote Number **24422**

Sales Quote Date: 02/15/16

Expires On:

Page 1

Sell To: LANSING, CITY OF
DAVE WILLIAMS
124 W. MICHIGAN AVENUE
732 CITY HALL
LANSING, MI 48933

Ship To: LANSING, CITY OF-SIGN SHOP
PUBLIC SERVICE DEPT.
601 E. SOUTH STREET
LANSING, MI 48910

Quote/Bid Ref:
Shipment Within 2-4 WEEKS ARO
Shipping Terms Best Way
Terms NET 30 DAYS

Customer ID 1625
Salesperson John Carrier

ALL VALUES STATED IN U.S. DOLLARS

Item No.	Description	Cross-Ref. No.	Qty.	Unit Price	Total Price
***** MLK @ I-96, LANSING *****					
245QUADGT2	QUADGUARD II ATTENUATOR		1	19,753.80	19,753.80
245-NS007573	QUADGUARD II, 5-BAY, TL-3 36", 62 MPH		1		
245-NS0252	TENSION STRUT BACK UP 36" QUADGUARD		1		
245-1098	END SHOE, QUAD BEAM QUADGUARD		1		
244-1003	OBJECT MARKER, UNI-DIRECT. \ IX DG		1		
***** END of KIT *****					
FREIGHT IS INCLUDED					
***** ***CONTRACTOR FEES***					
269-NS004459	LABOR CHARGE - ATTENUATOR INSTALL		1	2,500.00	2,500.00
269-NS004459	LABOR CHARGE - TRAFFIC CONTROL		1	1,500.00	1,500.00

Amt Subject to Sales Tax 0.00
Amt Exmt from Sales Tax 23,753.80

Subtotal: 23,753.80
Total Sales Tax: 0.00
Total: 23,753.80

TO: Stephanie Robinson CPPB, Senior Buyer Purchasing
FROM: Brian Love, Senior Surface Maintenance Supervisor
DATE: February 16, 2016
SUBJECT: Sole Source – Carrier & Gable Inc. – Crash Attenuator Purchase

Operations & Maintenance would like to request a Sole Source designation be granted to Carrier & Gable Inc. for an exclusive purchase of one (1) Quadguard II TL-3 Crash Attenuator System. This purchase is being made to replace a damaged attenuator on S. MLK at I-96. Carrier & Gable is the Michigan supplier for the style and model of the attenuator system needed to replace the damaged one. This agreement will allow the City to quickly replace the damaged one in a very high traffic, critical area. We have research price comparisons from other regions and are confident the price they are proposing is very competitive.

Attenuator Cost Summary:

- Complete Attenuator System \$19,753.80
- Freight (included) \$ 00.00
- Installation(includesTrafficControl) \$3500.00
- Total \$23,753.80

APPROVED BY:

Brian Love, O&M Senior Supervisor

Dated: _____

Victor Rose, O&M Superintendent

Dated: _____

Angela Bennett, Interim Finance Director

Dated: _____



OFFICE OF MAYOR VIRG BERNERO
124 W. MICHIGAN AVENUE – NINTH FLOOR
LANSING, MI 48933

TO: City Council President Judi Brown Clarke and Council Members

FROM: Mayor Virg Bernero

DATE: February 25, 2016

RE: Sole Source Purchase—Tetra Tech—Engineering Services—
Public Service Dept.

The attached correspondence is forwarded for your review and appropriate action.

VB/rh
Attachment

CITY of LANSING

INTEROFFICE COMMUNICATION

TO: Virg Bernero, Mayor
FROM: Stephanie Robinson CPPB, Senior Buyer
DATE: Feb. 22, 2016
SUBJECT: Sole Source Purchase – Tetra Tech Engineering Services

Please include this Sole Source packet of information in your transmittal to Council as required by the Purchasing Ordinance Section 206.05.

In summary, the Purchasing Office processed the following Sole Source transaction:

Department: Public Service Department, WWTP Division
Vendor: Tetra Tech
Item Purchased: Engineering Services
Dollar Amount: \$50,481.00

Additional information pertaining to this purchase is attached for your information.

This letter is filed in accordance with the Purchasing Ordinance Section 206.05 (a) and (b).

sr

CITY of LANSING
INTEROFFICE COMMUNICATION

TO: Randy Hannan, Chief of Staff
Chad Gamble, Chief Operating Officer

FROM: Stephanie Robinson, CPPB Buyer

DATE: February 18, 2016

SUBJECT: Sole Source Purchase –Tetra Tech Engineering Services

The Public Service Department – WWTP Division requests that Tetra Tech, Lansing MI, be designated as a sole source consultant for Engineering Services for Pump Station Radio Communication Project by the City of Lansing.

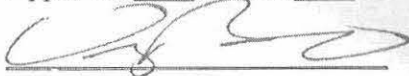
Please see the attached letter and approval from William Brunner, Sid Scrimger, and Chad Gamble regarding the request.

Based on the attached letter we recommend issuing a sole source purchase order to Tetra Tech in the approximate amount of \$50,481 from account numbers 590-933610-743000-0 and 590-933610-973000-20148 per the request of the Public Service Waste Water Treatment Plant.

Attachment

Date 2/19/16

Approved _____ Denied _____


Virg Bernero, Mayor



Virg Bernero, Mayor

**PUBLIC SERVICE
DEPARTMENT**

Wastewater Division
1625 Sunset Avenue
Lansing, Michigan 48917
(517) 483-4404
FAX: (517) 483-4536

<http://publicservice.cityoflansingmi.com/pubwater/>



TO: Stephanie Robinson, Senior Buyer

FROM: William H. Brunner, P.E., Plant Engineer *WB*

DATE: February 16, 2016

SUBJECT: Sole Source Procurement Request
Engineering Services for Pump Station Radio Communication Project

I recommend that a sole source engineering services contract for the radio communication project for the pump stations be awarded to Tetra Tech's (TT). Its proposal, priced at \$50,481, is attached.

Time is of the essence. The Lansing Wastewater Treatment Plant (WWTP) is currently controlling and monitoring 22 minor and 7 major pump stations through leased line service from AT&T. It is urgent that we replace this communication system for two reasons: AT&T service is scheduled to be discontinued within the next few years, and our service contract with AT&T ends in April. Other communities in this situation have renewed their contracts with AT&T only to see their phone bills escalate by 800% to 1,000%. Our current phone bill for the pump stations is \$400,000 per year. In this scenario, our phone bill would surge to \$4,000,000, an increase of \$3,600,000!

TT was the engineer for installation of the supervisory control and data acquisition system (SCADA) at the WWTP and its pump stations, and is currently providing as-needed SCADA services. It is intimately familiar with WWTP's SCADA system and the communication system used to transmit data between the WWTP and its pumping stations. Also, TT was the engineer for the installation of radio communication systems currently operating at our Miller Road Rain Gauge, Bennett Road Pump Station and most recently at our new Sandhill Road Pump Station. Also, through its as-needed contract, TT is currently providing the engineering needed to convert communication from the Tecumseh River Road Pump Station, a major pump station, from phone line to radio communications.

Tetra Tech has a wealth of experience in designing radio communication systems. It has successfully provided engineering services needed to convert pump station communication from telephone lines to radios in many cities, including East Lansing, Muskegon, Fruitport-Norton Shores, North Chicago, and currently for Kalamazoo.

Time is of the essence. The time needed to develop the bid documents, bid the project, and educate the successful bidder on the intricacies of the SCADA system and current pump station communication, could end up costing hundreds of thousands of dollars in phone bills. Tetra Tech is intimately familiar with the WWTP's SCADA system, has successfully designed radio



Virg Bernero, Mayor

**PUBLIC SERVICE
DEPARTMENT**

Wastewater Division
1625 Sunset Avenue
Lansing, Michigan 48917
(517) 483-4404
FAX: (517) 483-4536

<http://publicservice.cityoflansingmi.com/pubwater/>



Sole Source Procurement Request
Engineering Services for Pump Station Radio Communication Project


February 16, 2016
Page 2 of 2

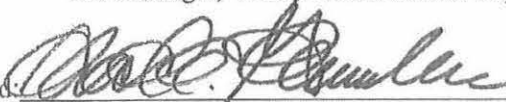
communication systems for two of our pump stations and a rain gauge, and is experienced in converting communication from phone lines to radio. Tetra Tech has provided a cost-effective proposal in which WWTP labor is utilized for bidding related services, signal strength testing and any negotiations needed to mount equipment on existing towers. Also, to provide additional cost savings, the WWTP will directly purchase the radio equipment, avoiding contractor markup, and TT will utilize a streamlined construction bidding process that employs no new design drawings for work at the minor pump stations.

Funds for this purchase are available in the following accounts:

Capital Improvement WWTP	590-933610-743000-00000	\$20,000
Pump Station Major Maintenance	590-933610-973000-20148	\$30,481

Please call me at -4018 if you have any questions regarding this sole source procurement request.

Approved:  Date: 2-16-16
Sid Scrimger, Wastewater Division Superintendent

Approved:  Date: 2/17/16
Chad A. Gamble, P.E.
Director, Department of Public Service



TETRA TECH

January 28, 2016

Transmitted Electronically

Mr. Bill Brunner, P.E.
City of Lansing
1625 Sunset Ave.
Lansing, MI 48917

**Re: Lansing WWTP Radio System Assistance
Proposal for Professional Services**

Dear Mr. Brunner:

Thank you for the opportunity to submit our professional services proposal to assist the City of Lansing with solutions to replace the existing leased phone line communication system that is currently in use to communicate between the Lansing Wastewater Treatment Plant (WWTP) and 22 minor lift stations and 7 major pump stations with a radio based network.

This proposal contains our understanding of the project requirements, proposed scope of services, and fee estimate.

STATEMENT OF UNDERSTANDING

It is our understanding the City would like engineering assistance to migrate the current leased line communication system to a radio based system for all of the City's minor and major pump stations.

Currently the WWTP communicates via leased lines to the minor and major stations and the leased line service from AT&T is scheduled to be discontinued within the next several years.

The proposed solution will be based on 400 or 900 MHz licensed frequency radio system for the minor stations and unlicensed 5.8GHz frequency radio system for the major stations.

SCOPE OF SERVICES

The scope of services includes time to investigate appropriate communication solutions, produce a written description of work for the minor stations and a design drawing set for the major stations plus onsite assistance from Tetra Tech.

The scope of services below includes detailed tasks for minor and major pump stations:

Tetra Tech
710 Avis Drive, Ann Arbor, MI 48108
Tel 734.665.6000 Fax 734.665.2570 www.tetratech.com



TETRA TECH

Minor Stations:

Tetra Tech will update the existing system one-line, compile a list of stations with GPS coordinates for the City to conduct a signal study, produce a bill-of-material for the City to procure and produce a basic written description of the proposed work.

- Recommend antenna heights for each of the 22 locations.
- Tetra Tech will draft a Bill-of-Material and produce a scope of work to allow the City to procure a contractor to install a 400 or 900 MHz antenna and cabling system on an existing (available) tower to be used as the minor station repeater.
- Tetra Tech will assist the City to train City staff to take signal measurements based on using licensed 400 or 900 MHz radios.
- After signals have been tested at each site, Tetra Tech will update the existing system one-line that will indicate recommended antenna heights for each of the 22 stations.
- Tetra Tech will produce a basic written description of the proposed work.
- Tetra Tech will develop a Bill-of-Material for the City to procure.
- Tetra Tech will provide 40 hours of additional assistance during installation to assist the City and Contractor.

Major Stations:

Tetra Tech will compile a list of stations with GPS coordinates and design a High speed radio system for the major stations. The design will require tall mono-poles located at each major station.

- Recommended antenna heights for each of the 7 Major station locations.
- Tetra Tech will conduct a software path analysis to determine appropriate tower heights for each station.
- Tetra Tech will produce installation details for each site.
- Tetra Tech will formalize a set of drawings to allow the City to bid the installation of equipment by a contractor.
- Tetra Tech will develop a Bill-of-Material for the City to procure.
- Tetra Tech will provide 40 hours of additional assistance during installation to assist the City and Contractor.

ASSUMPTIONS

- Tetra Tech is not providing new design drawings for the minor stations.
- The City will direct purchase all required equipment.
- Tetra Tech is not providing any bidding related services.
- The City is responsible for the majority of signal strength testing with minor assistance from Tetra Tech.
- The City is responsible for any negotiation to use and structural analysis of any existing tower proposed to be used as the minor station repeater.
- The proposed budget is for investigation, design and onsite assistance. Programming if necessary will be under separate contract.



TETRA TECH

SCHEDULE

Scheduling for these tasks can occur immediately following your notice to proceed and signature of this contract.

COMPENSATION

Compensation for the professional services required for the assignment will be based on time and material at a not-to-exceed fee budget of:

Minor Stations - \$17,361.00

Major Stations - \$33,120.00

The City will be invoiced monthly based on services performed. With this compensation method you pay only for the hours actually used.

If you concur with our proposal, please sign in the space below and return one original copy of this proposal to indicate your authorization to proceed. Our Standard Terms and Conditions are attached and considered part of this proposal. As with other City projects, please issue a purchase order for the work to reference in our monthly invoicing.

We look forward to working with you on this effort. Please contact me at 734-213-5075 if you have questions or require additional information.

Sincerely,

Mick S. Jones, P.E.
Senior Project Manager

Encl.: Standard Terms and Conditions

Copy: Accounting (w/encl.)

PROPOSAL ACCEPTED BY City of Lansing:

By _____

TITLE _____ DATE _____

THIS ITEM
NOT AVAILABLE
AT THE TIME OF PRINT



MEMO TO: Lansing Mayor Virg Bernero and Lansing City Council Members

FROM: Steve Japinga, Director, Government Relations

DATE: February 24, 2016

RE: Urge Moratorium on Medical Marihuana Provisioning Centers

The Lansing Regional Chamber of Commerce (LRCC) urges the City of Lansing to implement a moratorium on any new medical marihuana provisioning centers at this time. Furthermore, LRCC believes it is extremely important for the administration and City Council to work together to adopt an updated medical marihuana licensing and zoning ordinance.

Quickly adopting a moratorium will allow time for the following to take place:

1. Allows the State Legislature to finish its work on passing a comprehensive plan to regulate medical marihuana provision centers and the cultivation and distribution of medical marihuana in the State of Michigan.
2. Allows the administration and City Council to work together to establish a new zoning and licensing ordinance that provides effective commonsense regulations to address safe access for patients, high quality provisioning centers, strong enforcement and zoning policies, vigorous application process, testing of products and appropriate fees to effectively enforce the ordinance.

To be clear, LRCC does not have a current position for or against medical marihuana provisioning centers, however; the increasing number of provisioning centers throughout the city without proper regulations and enforcement is extremely alarming and should be addressed immediately.